

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Judiciary, to which was referred Senate Bill No. 329, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 14, delete lines 22 through 32.
- 2 Page 17, line 9, after "any" insert "**Title IV-D**".
- 3 Page 18, delete lines 28 through 32.
- 4 Page 20, line 7, delete "subject to subsection (f)".
- 5 Page 20, line 7, after "an" insert "**additional**".
- 6 Page 20, line 7, after "amount" insert "**as determined under**
- 7 **subsection (f)**".
- 8 Page 20, line 14, delete "The amount under subsection (e)(3) may
- 9 not exceed the" and insert "**If an obligor subject to an income**
- 10 **withholding order is in arrears, unless otherwise ordered by a**
- 11 **court, the Title IV-D agency or its agent may increase the weekly**
- 12 **amount withheld as follows:**
- 13 (1) If the arrearages are at least five hundred dollars (\$500)
- 14 and less than three thousand dollars (\$3,000), an additional
- 15 amount of up to twenty dollars (\$20).
- 16 (2) If the arrearages are at least three thousand dollars
- 17 (\$3,000) and less than five thousand dollars (\$5,000), an
- 18 additional amount of up to twenty-five dollars (\$25).
- 19 (3) If the arrearages are at least five thousand dollars (\$5,000)
- 20 and less than ten thousand dollars (\$10,000), an additional
- 21 amount of up to thirty dollars (\$30).

1 **(4) If the arrearages are at least ten thousand dollars**
 2 **(\$10,000) and less than fifteen thousand dollars (\$15,000), an**
 3 **additional amount of up to thirty-five dollars (\$35).**

4 **(5) If the arrearages are at least fifteen thousand dollars**
 5 **(\$15,000) and less than twenty thousand dollars (\$20,000), an**
 6 **additional amount of up to forty dollars (\$40).**

7 **(6) If the arrearages are at least twenty thousand dollars**
 8 **(\$20,000) and less than twenty-five thousand dollars (\$25,000),**
 9 **an additional amount of up to forty-five dollars (\$45).**

10 **(7) If the arrearages are at least twenty-five thousand dollars**
 11 **(\$25,000), an additional amount of up to fifty dollars (\$50).**

12 **(g) A court is not bound by and is not required to consider the**
 13 **additional amounts described in subsection (f) when ordering,**
 14 **modifying, or enforcing periodic payments of child support."**

15 Page 20, delete lines 15 through 19.

16 Page 21, line 31, delete "subject to section 2.5(f) of this chapter,".

17 Page 21, line 31, after "an" insert "**additional**".

18 Page 21, line 31, after "amount" insert "**as determined under**
 19 **section 2.5(f) of this chapter**".

20 Page 30, line 18, after "payment" insert ";".

21 Page 30, line 18, delete "based upon employment" .

22 Page 30, line 19, delete "income;".

23 Page 30, line 25, delete "child".

24 Page 31, line 1, after "chapter," insert "**the Title IV-D agency shall**
 25 **send the income payor, by certified mail, a notice of failure to**
 26 **comply. If the income payor fails to forward the money required**
 27 **by an income withholding order within thirty (30) days after**
 28 **receipt of the notice of failure to comply, "**

29 Page 31, line 4, delete "that receives an income withholding order".

30 Page 31, delete line 5.

31 Page 31, line 6, delete "order" and insert "**described in subsection**
 32 **(a)**".

33 Page 31, run in lines 4 through 6.

34 Page 32, line 23, delete "court;" and insert "court".

35 Page 32, line 24, after "chapter;" insert "**or the Title IV-D**
 36 **agency;**".

37 Page 33, line 5, delete "(a)".

38 Page 33, line 6, delete "an administrative" and insert "**a**".

- 1 Page 33, line 7, after "subpoena" insert "**under Indiana Trial Rule**
- 2 **45**".
- 3 Page 33, delete lines 9 through 16.
- 4 Page 37, delete lines 31 through 42.
- 5 Page 38, delete lines 1 through 20.
- 6 Page 42, line 21, delete "JULY 1, 2007]:" and insert "JANUARY 1,
- 7 2008]:".
- 8 Renumber all SECTIONS consecutively.
(Reference is to SB 329 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

Bray

Chairperson